

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of

Confirmation No. 3040

Laurence Hubert et al.

Application No.: 10/766,675

Examiner: Maikhanh Nguyen

Filed: January 27, 2004

For: META-DOCUMENT AND METHOD OF MANAGING

BRIEF ON APPEAL

Appeal from Group 2176

Xerox Corporation
Jeannette M. Walder
Santa Ana, California
Telephone: (714) 565-1700
Attorney for Appellants

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I. REAL PARTY IN INTEREST

The real party in interest for this appeal and the present application is Xerox Corporation, by way of an Assignment recorded in the U.S. Patent and Trademark Office at Reel 10279, Frame 793-794.

II. STATEMENT OF RELATED APPEALS AND INTERFERENCES

There are no prior or pending appeals, interferences or judicial proceedings, known to Appellants, Appellants' representative, or the Assignee, that may be related to, or which will directly affect or be directly affected by or have a bearing upon the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Claims 1-16 are on appeal.

Claims 1-16 are pending.

Claims 1-16 are rejected.

IV. STATUS OF AMENDMENTS

No Amendment after Final Rejection has been filed.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The management and use of documents has changed drastically with the evolution of electronic communications, and in particular, with the Internet and intranets. In the past, a document was simply a tangible media, such as a piece of paper, conveying information or data. Today, a document is an object conveying information that is created at a given time; it may be manipulated by various people and tools; it may be duplicated and transported from place to place; and finally it may be deleted or simply forgotten on a storage media at some location.

Only a few of all the manipulations that may be performed on a document are traceable. If a document is created by a word processing program, for example, the program may track certain types of manipulations about the document, such as editing, printing and accessing and this information may be stored with the document. However, if the document is copied, a record of the copying is usually not stored on the original document or the copy or elsewhere. If the document is translated, say from English to French via an automatic translator, the fact of the translation (even given the low quality of the translation) is not recorded on the original document. Nor is the translation itself recorded or accessible with the original document should someone desire the translation at a later date.

In accordance with Appellants' system, documents when processed, for example, when they are transformed from one format into another, or copied, or distributed or commented upon, do not lose any of the information they had in their previous form. Each step in the document cycle process, i.e., during the entire life-time of the document (including reading and usage), going from authoring to modification to publishing and printing to reading and using, is considered a different view of the same data or modifies a different aspect of the document. Information pertaining to each processing step is stored with the document along with metadata

for indexing and retrieving the processing information. By storing a record of all the various processing and the results of the processing performed on a particular document, and making that information retrievable, users in an organization have the opportunity to come back to some piece of information about a document that later turned out to be of great importance.

Appellants' system employs a new form of document called a meta-document. A meta-document includes an object conveying document information, processing information pertaining to processing of the meta-document and metadata for indexing and retrieving the processing information. Processing information includes information pertaining to the fact that the meta-document (or the document information) was processed, by whom, any relevant tool used and the result of the processing. The processing information is recorded on the meta-document each time the meta-document is processed in some manner. Each time processing information is recorded on the document, appropriate metadata for indexing and retrieving the processing information is also stored on the meta-document.

The invention of Claim 1 is directed to a computer-readable storage medium (patent application ["pa"], paragraph [0003]) encoded with data for processing by a data processing system (pa, paragraph [0004]), said data comprising: a meta-document (pa figure 1, element 10 and pa paragraph [0022]) for tracking and storing all information pertaining to actions performed by an application program on a document comprising document information during its entire lifetime (pa paragraph [0010]), comprising a file structure (pa paragraph [0022]) including: an object (pa figure 1, element 20) conveying document information, processing information, and metadata for indexing and retrieving the processing information (pa paragraph [0012] and paragraph [0022]); wherein all of which are stored on the meta-document and retrievable from the meta-document (pa paragraph [0012], figure 1, elements 14 and 16, paragraph [0023]);

wherein the processing information (pa figure 1 element 14) comprises all information pertaining to each time the meta-document is processed by the application program being executed by the data processing system (pa paragraph [0012] and any results of the processing (pa paragraph [0012] during the entire life of the meta-document (pa paragraph [0010]), the processing information being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document (pa paragraph [0012], figure 1, element 14, paragraph [0023]); and wherein the metadata comprises all associated metadata pertaining to each time the meta-document is processed by the application program being executed by the data processing system during the entire life of the meta-document (pa paragraph [0012]), the metadata being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document (pa paragraphs [0011] and [0012]).

The invention of Claim 6 is directed to in a data processing system, a computer-implemented method (pa paragraph [0010]) of managing a meta-document comprising: storing a meta-document (pa figure 1, element 10 and pa paragraph [0022]) for tracking and storing (pa paragraph [0010]) all information pertaining to actions performed by an application program (pa paragraph [0010]) on a document comprising document information on (pa paragraph [0012]) a computer-readable storage medium (pa paragraph [0022]), the meta-document, wherein the meta-document comprises a file structure (pa paragraph [0022]) including: an object (pa figure 1, element 20) conveying document information, processing information pertaining to processing of the meta-document (pa paragraph [0012]), and metadata for indexing and retrieving the processing information (pa paragraph [0012]), wherein all of which are stored on the meta-document and retrievable from the meta-document (pa paragraph [0012], figure 1, elements 14 and 16, paragraph [0023]); wherein the processing information (pa figure 1, element 14)

comprises all information pertaining to each time the meta-document is processed by the application program being executed by the data processing system (pa paragraph [0012]) and any results of the processing (pa paragraph [0012]) during the entire life of the meta-document (pa paragraph [0010]), the processing information being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document (pa paragraph [0012], figure 1, element 14, paragraph [0023]); and wherein the metadata comprises all associated metadata pertaining to each time the meta-document is processed by the application program being executed by the data processing system during the entire life of the meta-document (pa paragraph [0012]), the metadata being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document (pa paragraphs [0011] and [0012]); transmitting the meta-document to a source (pa page 14, line 23); parsing the meta-document, at the source (pa paragraph [0023]), for extracting stored processing information and metadata (pa page 15, line 1); and storing processing information pertaining to transmitting and parsing at the source and associated metadata on the meta-document (pa page 15, lines 3-5).

The invention of Claim 11 is directed to a data processing system for managing document information (pa page 16, lines 1-2) comprising: a memory (pa paragraph [0003] and [0023]) storing a meta-document for tracking and storing all information pertaining to actions performed by an application program (pa paragraph [0010]) on a document comprising document information (pa paragraph [0012]) on a computer-readable storage medium (pa paragraph [0022]), the meta-document, wherein the meta-document comprises a file structure (pa paragraph [0022]) including: an object (pa figure 1, element 20) conveying document information, processing information pertaining to processing of the meta-document (pa paragraph [0012]), and metadata for indexing and retrieving the processing information (pa

paragraph [0012]), wherein all of which are stored on the meta-document and retrievable from the meta-document (pa paragraph [0012], figure 1, elements 14 and 16, paragraph [0023]); wherein the processing information (pa figure 1, element 14) comprises all information pertaining to each time the meta-document is processed by the application program being executed by the data processing system (pa paragraph [0012]) and any results of the processing during the entire life of the meta-document (pa paragraph [0010]), the processing information being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document (pa paragraph [0012]); and wherein the metadata comprises all associated metadata pertaining to each time the meta-document is processed by the application program being executed by the data processing system (pa paragraph [0012]) during the entire life of the meta-document (pa paragraph [0010]), the metadata being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document (pa paragraphs [0011] and [0012]); a processor for executing an application program for processing the meta-document; and a plurality of sources each source located at a different location (pa page 16, line 2), wherein each time the meta-document is received by a source, processing information and its associated metadata is parsed and extracted from the meta-document at the source (pa page 16, lines 9-10); and processing information pertaining to transmitting the meta-document to the source and parsing at the source and associated metadata stored on the meta-document (pa paragraph [0025]).

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

The following grounds of rejection are presented for review:

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter (citing 37 CFR 1.75(d)(1) and MPEP 608.01(o)). The Examiner stated the recited “memory” and the recited “processor” of Claim 11 are not mentioned in the specification and there is no antecedent basis for “memory” and “processor” in Claim 11.

Claims 1-5 were rejected under 35 USC 102(e) as being anticipated by Cohen et al. (US publication 2003 0167281).

Claims 6-16 were rejected under 35 USC 103(a) as being unpatentable over Cohen et al. in view of Dourish et al., “Freeflow: mediating Between Representation and Action in Workflow Systems,” November 1996, pp. 190-198.

VII. ARGUMENT

Appellants are concerned with the problem of retaining a complete record of all processing information pertaining to a particular document over the life-time of the document. Appellants solve this problem with their meta-document. With Appellants' meta-document, documents when processed, for example, when they are transformed from one format into another, or copied, or distributed or commented upon, do not lose any of the information they had in their previous form. Each step in the document cycle process, i.e., during the entire life-time of the document (including reading and usage), going from authoring to modification to publishing and printing to reading and using, is considered a different view of the same data or modifies a different aspect of the document. Information pertaining to each processing step is stored with the document along with metadata for indexing and retrieving the processing information. By storing a record of all the various processing and the results of the processing performed on a particular document, and making that information retrievable, users in an organization have the opportunity to come back to some piece of information about a document that later turned out to be of great importance.

Appellants disclose a new structure: a meta-document. Referring to Figure 1 of Appellants' specification, meta-document 10 includes an object 20, which may be a file structure. Meta-document 10 also includes document information or data 12. Information or data 12 may be the substance of a letter or a spreadsheet of user input information or any other typical data or information that a user might want to record. Processing information 14 is stored for each processing of the information 12 or meta-document 10. Metadata 16 is used to index and retrieve its associated processing information. All of this information is stored on the meta-document. All of the components of the meta-document (document, processing information and

meta-data) are all retrievable from the meta-document.

The advantages of having all this information stored in the meta-document are many. Appellants' meta-document can be thought of as an "absorber" of the processing information which was generated by manipulations or references (e.g., recommendations) made to it, including, in particular, the fact that these actions occurred. All of the processing information in the meta-document is explicit, accessible and reusable so that other tools or other people in different contexts can benefit from it. The meta-document can also be thought of as a "distributor" of processing information stored on it. Each time a meta-document is accessed by a new source or environment, the meta-document can download or leave some or all of its stored processing information. Users need not look elsewhere. Everything is stored on the meta-document. When a meta-document is transferred from one location to another, all of its components go with it.

A. The specification provides proper antecedent basis for the claimed subject matter (citing 37 CFR 1.75(d)(1) and MPEP 608.01(o) of Claim 11.

1. The specification has antecedent basis for the recited "memory" in Claim 11.

Support can be found in the specification at paragraph [0022] which states: "Meta-document 10 includes an object 20, which may be a file structure if the meta-document is stored electronically, or a type of media, such as a floppy disk, piece of paper, magnetic tape, etc." Storage media such as floppy disks, magnetic tapes, document repositories (see paragraphs [0006], [0007], [0009], [0018] and [0039] all constitute memories. See also paragraph [0040].

2. The specification has antecedent basis for the recited “processor” in Claim 11.

Support for the recited “processor” is inherent in the specification at several locations. Meta-documents include objects comprising document information and meta-data pertaining to the various processing of the document during the life of the document. Documents are processed by programs such as word processing programs (paragraph [0004]). Some meta-documents include a tool such as a software program or macro (paragraph [0014]) for creating and recording of the processing information and associated metadata on the meta document. All such programs and macros require a processor to operate and execute them. Thus, by disclosing “processing information” a processor is inherently required and disclosed.

- B. Claims 1-5 are not anticipated by Cohen et al. (US publication 2003 0167281) under 35 USC 102(e).

1. Cohen et al. does not teach or suggest a meta-document that stores and tracks all information pertaining to actions performed by an application program on a document during its entire lifetime.

Appellants’ meta-document tracks all information pertaining to actions performed by an application program on a document during its entire lifetime and stores this information on the meta-document. Each time the meta-document is processed by an application program being executed by the data processing system during the entire life of the meta-document, that processing information is stored in the meta-document. Each time the meta-document is processed by an application program being executed by the data processing system during the entire life of the meta-document, the associated metadata is stored in the meta-document.

In contrast, Cohen et al. is concerned with collaborate computing, with software tools for improving collaborative working among a group of people working together on a project or task involving a defined set of documents. See paragraph [0003]. Cohen et al. is group focused

(paragraph [0015]) and provides “a people and document centered awareness tool which serves as a entrée into a comprehensive suite of collaborative tools for easy and effective collaboration on a project.” See paragraph [0025]. A document management system such as DOMINO acts as the meta-data repository for the projects and provides the mechanism for managing documents and their versions. (See paragraph [0038] of Cohen et al.)

In Cohen et al., processing information is not stored with the document. A UI program searches the repository for notes associated with a document, whether any activity has been performed on the document since its creation and displays the results in a document tool bar 210 in a display screen for a user. See paragraph [0048] of Cohen et al. In contrast, in Appellants’ meta-document, all processing information is stored on the meta-document.

In Cohen et al., document history for a document is stored using a collaborative tool. Document history is not necessarily complete, since the file only stores automatically those management tasks running on the server. The document history file also stores manually input information, such as when a document is “sent to opposing counsel”. See paragraph [0056] of Cohen et al. The document history file pertains only to the particular task and does not include actions that might occur to the document once the task is completed. In contrast, Appellants’ meta-document stores all processing information on the meta-document, regardless of the number of tasks associated with the document. Appellant’s meta-document comprises a complete history of all processing of the document, no matter how many tasks may involve that particular document.

2. Cohen et al. is task focused; Appellants’ meta-document is document focused.

Cohen et al.’s invention discloses methods for improving awareness of the status of a

task, and for improving collaboration among users involved in a task. See Abstract of Cohen et al. Cohen et al. is concerned with collaboration among users in a particular task. See Cohen et al. paragraphs [0019] and [0025] for example. Once the task is completed and all collaboration has been implemented as part of the task, assuming such task involves a document, all processing information pertaining to the document which was the subject of the task ceases.

In contrast, Appellants are concerned with the problem of retaining a complete record of all processing information pertaining to a particular document over the life-time of the document. Appellants solve this problem with their meta-document. With Appellants' meta-document, documents when processed, for example, when they are transformed from one format into another, or copied, or distributed or commented upon, do not lose any of the information they had in their previous form. Each step in the document cycle process, i.e., during the entire life-time of the document (including reading and usage), going from authoring to modification to publishing and printing to reading and using, is considered a different view of the same data or modifies a different aspect of the document. Information pertaining to each processing step is stored with the document along with metadata for indexing and retrieving the processing information. By storing a record of all the various processing and the results of the processing performed on a particular document, and making that information retrievable, users in an organization have the opportunity to come back to some piece of information about a document that later turned out to be of great importance. Appellant's meta-document comprises a complete history of all processing of the document, no matter how many tasks may involve that particular document.

- C. Claims 6-16 are patentable under 35 USC 103(a) over Cohen et al. in view of Dourish et al., "Freeflow: mediating Between Representation and Action in Workflow Systems," November 1996, pp. 190-198.

1. Neither Cohen et al. nor Dourish et al. teaches or suggests a meta-document that stores and tracks all information pertaining to actions performed by an application program on a document during its entire lifetime.

Appellants' meta-document tracks all information pertaining to actions performed by an application program on a document during its entire lifetime and stores this information on the meta-document. Each time the meta-document is processed by an application program being executed by the data processing system during the entire life of the meta-document, that processing information is stored in the meta-document. Each time the meta-document is processed by an application program being executed by the data processing system during the entire life of the meta-document, the associated metadata is stored in the meta-document.

In contrast, Cohen et al. is concerned with collaborate computing, with software tools for improving collaborative working among a group of people working together on a project or task involving a defined set of documents. See paragraph [0003]. Cohen et al. is group focused (paragraph [0015]) and provides "a people and document centered awareness tool which serves as a entrée into a comprehensive suite of collaborative tools for easy and effective collaboration on a project." See paragraph [0025]. A document management system such as DOMINO acts as the meta-data repository for the projects and provides the mechanism for managing documents and their versions. (See paragraph [0038] of Cohen et al.)

In Cohen et al., processing information is not stored with the document. A UI program searches the repository for notes associated with a document, whether any activity has been performed on the document since its creation and displays the results in a document tool bar 210 in a display screen for a user. See paragraph [0048] of Cohen et al. In contrast, in Appellants' meta-document, all processing information is stored on the meta-document.

In Cohen et al., document history for a document is stored using a collaborative tool. Document history is not necessarily complete, since the file only stores automatically those management tasks running on the server. The document history file also stores manually input information, such as when a document is “sent to opposing counsel”. See paragraph [0056] of Cohen et al. The document history file pertains only to the particular task and does not include actions that might occur to the document once the task is completed. In contrast, Appellants’ meta-document stores all processing information on the meta-document, regardless of the number of tasks associated with the document. Appellant’s meta-document comprises a complete history of all processing of the document, no matter how many tasks may involve that particular document.

Dourish et al, like Cohen et al. is concerned with work flow systems and processes, for relieving users of the burden of coordination and managing tasks associated with a project. Nothing in Dourish et al overcomes the lack of teachings in Cohen et al.

2. Cohen et al. is task focused; Dourish et al. is workflow focused; Appellants’ meta-document is document focused.

Cohen et al.’s invention discloses methods for improving awareness of the status of a task, and for improving collaboration among users involved in a task. See Abstract of Cohen et al. Cohen et al. is concerned with collaboration among users in a particular task. See Cohen et al. paragraphs [0019] and [0025] for example. Once the task is completed and all collaboration has been implemented as part of the task, assuming such task involves a document, all processing information pertaining to the document which was the subject of the task ceases.

Dourish et al. is concerned with workflows. According to Dourish et al., workflow systems, in one form or another, embody representations of working processes, as a basis for

supporting those processes, potentially distributed in time and across multiple people. See introduction of Dourish et al.

In contrast, Appellants are concerned with the problem of retaining a complete record of all processing information pertaining to a particular document over the life-time of the document. Appellants solve this problem with their meta-document. With Appellants' meta-document, documents when processed, for example, when they are transformed from one format into another, or copied, or distributed or commented upon, do not lose any of the information they had in their previous form. Each step in the document cycle process, i.e., during the entire life-time of the document (including reading and usage), going from authoring to modification to publishing and printing to reading and using, is considered a different view of the same data or modifies a different aspect of the document. Information pertaining to each processing step is stored with the document along with metadata for indexing and retrieving the processing information. By storing a record of all the various processing and the results of the processing performed on a particular document, and making that information retrievable, users in an organization have the opportunity to come back to some piece of information about a document that later turned out to be of great importance. Appellant's meta-document comprises a complete history of all processing of the document, no matter how many tasks or workflows may involve that particular document.

VIII. CONCLUSION

For all of the reasons discussed above, it is respectfully submitted that the rejections are in error and that Claims 1-16 are in condition for allowance. For all of the above reasons, Appellants respectfully request this Honorable Board to reverse the rejections of Claims 1-16.

Respectfully submitted,

/Jeannette M. Walder, Reg. #30,698/

Jeannette M. Walder
Registration No. 30,698

Xerox Corporation
Santa Ana, California
Telephone: (714) 565-1700

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CLAIMS APPENDIX

CLAIMS INVOLVED IN THE APPEAL:

1. (Previously Presented) A computer-readable storage medium encoded with data for processing by a data processing system, said data comprising:

a meta-document for tracking and storing all information pertaining to actions performed by an application program on a document comprising document information during its entire lifetime, comprising a file structure including:

an object conveying document information,

processing information, and

metadata for indexing and retrieving the processing information; wherein all of which are stored on the meta-document and retrievable from the meta-document;

wherein the processing information comprises all information pertaining to each time the meta-document is processed by the application program being executed by the data processing system and any results of the processing during the entire life of the meta-document, the processing information being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document; and

wherein the metadata comprises all associated metadata pertaining to each time the meta-document is processed by the application program being executed by the data processing system during the entire life of the meta-document, the metadata being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document.

2. (Original) The meta-document of claim 1, wherein processing information comprises information pertaining to transformation of the document information.

3. (Original) The meta-document of claim 1, wherein the processing information comprises a user comment to the document information.

4. (Original) The meta-document of claim 1, wherein the processing information comprises information pertaining to distribution of the meta-document.

5. (Previously Presented) The meta-document of claim 1, wherein the application program is embedded on the meta-document.

6. (Previously Presented) In a data processing system, a computer-implemented method of managing a meta-document comprising:

storing a meta-document for tracking and storing all information pertaining to actions performed by an application program on a document comprising document information on a computer-readable storage medium, the meta-document, wherein the meta-document comprises a file structure including: an object conveying document information, processing information pertaining to processing of the meta-document, and metadata for indexing and retrieving the processing information, wherein all of which are stored on the meta-document and retrievable from the meta-document;

wherein the processing information comprises all information pertaining to each time the meta-document is processed by the application program being executed by the data processing system and any results of the processing during the entire life of the meta-document, the

processing information being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document; and

wherein the metadata comprises all associated metadata pertaining to each time the meta-document is processed by the application program being executed by the data processing system during the entire life of the meta-document, the metadata being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document;

transmitting the meta-document to a source;

parsing the meta-document, at the source, for extracting stored processing information and metadata; and

storing processing information pertaining to transmitting and parsing at the source and associated metadata on the meta-document.

7. (Original) The method of claim 6, wherein the meta-document further comprises a tool, embedded on the object, responsive to a processing of the meta-document, for generating and storing processing information and associated metadata on the meta-document, wherein the parsing step is performed by the tool.

8. (Original) The method of claim 6, wherein the source comprises a tool, responsive to a processing of the meta-document, for generating and storing processing information and associated metadata on the meta-document, wherein the parsing step is performed by the tool.

9. (Original) The method of claim 7, wherein the meta-document further comprises a second tool, embedded on the object, for parsing and extracting selected processing information stored on the meta-document, and further comprising the step of:

parsing the meta-document for extracting the selected processing information and associated metadata; and

distributing the extracted selected processing information to the source.

10. (Original) The method of claim 8, wherein the source further comprises a second tool for parsing and extracting selected processing information stored on the meta-document, and further comprising the step of:

parsing the meta-document for extracting the selected processing information and associated metadata; and

distributing the extracted selected processing information to the source.

11. (Previously Presented) A data processing system for managing document information comprising:

a memory storing a meta-document for tracking and storing all information pertaining to actions performed by an application program on a document comprising document information on a computer-readable storage medium, the meta-document, wherein the meta-document comprises a file structure including: an object conveying document information, processing information pertaining to processing of the meta-document, and metadata for indexing and retrieving the processing information, wherein all of which are stored on the meta-document and retrievable from the meta-document; wherein the processing information comprises all

information pertaining to each time the meta-document is processed by the application program being executed by the data processing system and any results of the processing during the entire life of the meta-document, the processing information being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document; and wherein the metadata comprises all associated metadata pertaining to each time the meta-document is processed by the application program being executed by the data processing system during the entire life of the meta-document, the metadata being stored on the meta-document each time the meta-document is processed and being retrievable from the meta-document;

a processor for executing an application program for processing the meta-document; and
a plurality of sources, each source located at a different location,

wherein each time the meta-document is received by a source, processing information and its associated metadata is parsed and extracted from the meta-document at the source; and

processing information pertaining to transmitting the meta-document to the source and parsing at the source and associated metadata stored on the meta-document.

12. (Original) The system of claim 11, wherein processing information comprises information pertaining to transformation of the document information.

13. (Original) The system of claim 11, wherein the processing information comprises a user comment to the document information.

14. (Original) The system of claim 11, wherein the processing information comprises information pertaining to distribution of the meta-document.

15. (Original) The system of claim 11, wherein the meta-document further comprises a tool, embedded on the object, responsive to a processing of the meta-document, for generating and storing processing information and associated metadata on the meta-document.

16. (Original) The system of claim 11, wherein a source further comprises a tool, responsive to a processing of the meta-document, for generating and storing processing information and associated metadata on the meta-document.

EVIDENCE APPENDIX

NONE

RELATED PROCEEDINGS APPENDIX

NONE